

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-1

Dt.22-7-2008

Sub: P.S. - Khammam Dist. - ACB Trap case on Sri
Gujjaru Manohar, Sr. Asst. and Sri Poosa Samba-
Siva Rao, D.T., O/o the Tahsildar, Khammam Rural
Mandal, Khammam Dist. - Reg.

Ref: From the DSP, ACB, Warangal Range at Khammam,
Radio Message dt. 16-7-08.

The attention of the District Collector, Khammam is invited to the reference cited. It is reported that Sri Gujjaru Manohar, Senior Assistant and Sri Poosa Sambasiva Rao, Deputy Tahsildar, O/o the Tahsildar, Khammam Rural Mandal, Khammam District were trapped by the Anti Corruption Bureau officials when they demanded and accepted a bribe of Rs.5,000/- from the complainant. They were arrested on 14-7-2008 . The District Collector, Khammam District is requested take immediate action to place both the Accused Officers under suspension as per Govt.Memo.No.3676/Ser.B/2004, dt.12-3-04, if not already done.

2. The District Collector, Khammam District is requested to instruct the concerned Government Pleader to file a caveat in Andhra Pradesh Administrative Tribunal to restrain the Accused Officers from obtaining release orders of suspension from the Andhra Pradesh Administrative Tribunal without the issue being contested by the concerned Government Pleader.

3. Copy of suspension order of the above Accused Officers may be furnished to Anti Corruption Bureau and to Government, immediately.

M.RAMAIHAH
DEPUTY SECRETARY TO GOVERNMENT

To
The District Collector, Khammam District.
Copy to:
The Chief Commissioner of Land Administration, Hyderabad.
The Director General, Anti Corruption Bureau, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08)
(From the VC, APVC, Lr.No.4042/VC.C3/2008-1, dt. 12-8-08)

Please see the notes on prepage and the letter dt.12-8-08 received from the VC, APVC together with its enclosures at pp.5-29 c.f.

In his letter, the VC, APVC while enclosing the preliminary report of the DG, ACB and its enclosures, has observed that Sri G. Manohar, Sr. Asst. (AO-1) and Sri P. Sambasiva Rao, Supdt-cum-D.T. (AO-2), O/o the Tahsildar, Khammam (Rural), Khammam Dist. were arrested by the ACB and were detention for a period exceeding (48) hours and, therefore, advised the Dept. to issue formal orders invoking rule 8(2)(a) of APCS (CCA) Rules, 1991 placing the AOs under suspension from the date of detention and the competent authority may accordingly issue orders of deemed suspension. The Commission has also advised the Dept. to file caveat through the G.P. concerned in the APAT/High Court of A.P., immediately with a view to restrain the AOs from obtaining release orders from the APAT/High Court of A.P and requested to intimate the action taken.

Kind attention may be invited to the preliminary report of the DG, ACB at pp. 7-9 c.f.

In this connection, it is submitted that immediately on receipt of Message from the DSP, ACB, Warangal Range, Warangal, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt.Memo.No.3676/Ser.B/2004, dt. 12-3-04, if not already done. He was also requested therein to instruct the concerned Government Pleader to file a caveat in Andhra Pradesh Administrative Tribunal to restrain the Accused Officers from obtaining release orders of suspension from the Andhra Pradesh

Administrative Tribunal without the issue being contested by the concerned Government Pleader. But, action taken report has not been received from him so far.

In view of the above, it is for orders whether the Dist. Collector, Khammam may be requested to furnish the action taken report in the matter immediately, in the first instance.

Subject to orders, a draft memo. is submitted below for approval.

MEMO.NO.37122/Vig.VI(2)/08-2

Dated:28-8-2008

Sub: P.S - Khammam Dist. - ACB Trap case on Sri Gujjaru
Manohar, Sr. Asst. and Sri Poosa Samba Siva Rao,
D.T.,
O/o the Tahsildar, Khammam Rural Mandal,
Khammam
Dist.- Reg.

Ref: 1. From the DSP, ACB Warangal Range at Khammam,
Radio Message dt.16-7-08.
2. Govt. Memo. No.37122/Vig.VI(2)/08-1, dt.22-7-08.

The attention of the District Collector, Khammam is invited to the reference 2nd cited (copy enclosed for reference) and he is requested to furnish the action taken report thereon immediately, for taking further action in the matter.

M.RAMAI AH
DEPUTY SECRETARY TO GOVERNMENT

To
The District Collector, Khammam District.
Copy to:
The Chief Commissioner of Land Administration, Hyd.
The Director General, Anti Corruption Bureau, Hyd.
The Vigilance Commissioner,
Andhra Pradesh Vigilance Commission.

// FORWARDED BY ORDER //

SECTION OFFICER

Please see the notes of Dept. at paras 9-26 on pp.4-9 ante and the Routine Note dt. 16-3-09 received from CM's Office at p.341 c.f.

In this connection, it is submitted that no specific instructions have been received from G.A. (Elections) Dept. regarding the procedure to be followed for processing the files during the Model Code of Conduct.

In view of the above, the file may be circulated to the Hon'ble C.M. through C.E.O & Principal Secy. to Govt., G.A.(Elections) Dept. for appropriate orders, as desired at p.341 c.f.

Please see the notes at pp.4-11 ante and the repn. of Sri P. Sambasiva Rao, D.T. at p.279 c.f. Orders of Prl.Secy. may also be seen thereon.

Sri P. Sambasiva Rao, D.T. in his repn. while reiterating brief facts of the trap case, has requested to consider his case

sympathetically, reinstate him into duty and order for regular departmental action. The repn. is self explanatory.

With the above, the file may be sent to Prl. Secy. for information and orders, if any, w.r.to orders at p.279 ante.

NOTE FOR CIRULATION

The issue in this file relates to request of Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal to reinstate him into service, pending enquiry and convert the ACB case into departmental enquiry.

The brief facts of the case are that, on receipt of Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Supdt-cum-D.T. (AO-2), O/o the Tahsildar, Khammam (Rural), Khammam Dist. were arrested by the ACB on the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector,

Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rural Mandal, Khammam District under suspension.

Further, the Prl.Secretary to C.M. while enclosing the repn. of Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar (u/s), Khammam Rural Mandal has informed that the Hon'ble Chief Minister desired that the request may please be got examined and file circulated.

In the said repn., Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar (u/s), has represented that Sri G.Manohar, Sr.Asst. O/o the Tahsildar, Khammam Rural Mandal was caught red handed in the room of Supdt.-cum-Dy.Tahsildar and instructed the complainant to hand over the bribe amount of Rs.5000/- to Sri G.Manohar for doing an official favour for processing and issuing of ownership certificate of the land to the complainant Sri Syamala Rami Reddy and the tainted amount was recovered from the almirah of Sr.Asst. it is also reported that they were arrested on 14.7.2008 and produced before the Hon'ble Prl.Spl.Judge for SPE & ACB Cases, Hyd. on 15.7.08 and remanded upto 28.7.2008.

He has also represented that the phenolphthalein test over the both hand fingers of Sri P.Sambasiva Rao not yielded positive result and he was under detention for a period of exceeding 48 hours, in terms of rule 8 (2) (5) of APCS (CCA) Rules, the Dist. Collector, Khammam has placed the AO under suspension vide his Proc.No.A1/2263/2008, dt:26.7.2008.

He has further represented that the complainant Sri S.R.Reddy applied for land ownership certificate situated at Gollapadu (V) on 3.7.2008, the verification of VRO & MRI-II has been done on 4.7.2008. The Section Asst. Sri G.Manohar has submitted draft note to the Tahsildar through him on 7.7.2008 and on the same day the Tahsildar has approved the note and Sr.Asst. has prepared ownership certificate and put for signature of the Tahsildar. The Tahsildar has signed and given to the file to the Sr.Asst. (G.Manohar, AO1) to

dispatch the same to the complainant, that it is clearly evident that the file for note orders for issue of ownership certificate has been circulated to him on 7.7.08 and on the same day he has signed the file and sent to the Tahsildar and the has approved and sent the file to the concerned Sr.Asst. for dispatch, that it is the responsibility of the section assistant to see that the certificate has been dispatched to the complainant immediately and hence, he did not know about the complainant and he never demanded any bribe from him for issue of ownership certificate and it is also evident he has not taken any bribe amount, or kept the file with him an intention to demand the bribe amount and the phenolphthalein test held over the both hand fingers on him has also not yielded positive result.

He has further represented that as per the Mediators Report-II, if he has demanded any bribe, the complainant would have given money directly to him or he would have taken the amount from the complainant, but the fact is that he did not know the complainant and he never demanded bribe and he has also unaware that he complainant has given money to Sri G.Manohar, Sr.Asst. Further, during the course of investigation, the concerned file was traced out in the almirah of Sri G.Manohar, Sr.Asst. along with bribed amount and at the time of phenolphthalein test conducted over the hands of Sr.Asst. yielded positive result. He ahs submitted that the allegation of demand of bribe from the complaint for issue of ownership certificate is false and fabricated and there is no truth in the allegation.

He has finally represented that as per para 169 under chapter 10 of ACB Manual, arrest of Govt. servants shall be restricted only to successful trap cases, in other matters like indirect trap, disproportionate assets cases, arrest of Govt. servants shall not be resorted to as a matter of routine. As per the said orders, it is very clear that his arrest by the ACB authorities itself is against the rules and his suspension on the reason that he was under detention for a period exceeding 48 hours is also unjust. **He has finally requested to consider his case sympathetically and convert the ACB case into departmental enquiry and revocation his suspension orders and to reinstate him into duty pending enquiry in the matter.**

In the meanwhile the DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar, O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action to the allegation of failure to submit their annual property returns. The advice of VC on the final report has not yet been received.

Kind attention is invited to the orders in circulation to Minister (Rev) on page 9 ante, wherein orders were passed for conducting departmental enquiry besides reinstatement into service of the individual.

Submitted that, when the file was proposed to be circulated to the Hon'ble C.M. through CEO & Prl. Secretary to Govt., GA (Elections) Dept., for approval on above para, the Prl. Secretary has passed orders as at para 30 on page 11 ante.

On further representation submitted by Sri P.Sambasiva Rao, Superintendent-sum-Dy.Tahsildar (u/s), the file was sent to CEO & Prl. Secretary to Govt., GA (Elections) Dept., as per the orders of Prl. Secretary at para 35 on 12 ante.

The CEO & Prl. Secretary to Govt., GA (Elections) Dept., has passed orders **"No objection to take further action"**.

In view of the above position, the file may be circulated to the Hon'ble C.M. for approval on para 25 & 26 on page 9 ante, with reference to orders at page 75 cf.

NOTE FOR CIRULATION

The issue in this file relates to request of Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal to reinstate him into service, pending enquiry and convert the ACB case into departmental enquiry.

The brief facts of the case are that, on receipt of Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Supdt-cum-D.T. (AO-2), O/o the Tahsildar, Khammam (Rural), Khammam Dist. were arrested by the ACB on the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rural Mandal, Khammam District under suspension.

Further, the Prl.Secretary to C.M. while enclosing the repn. of Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar (u/s), Khammam Rural Mandal has informed that the Hon'ble Chief Minister desired that the request may please be got examined and file circulated.

In the said repn., Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar (u/s), has represented that Sri G.Manohar, Sr.Asst. O/o

the Tahsildar, Khammam Rural Mandal was caught red handed in the room of Supdt.-cum-Dy.Tahsildar and instructed the complainant to hand over the bribe amount of Rs.5000/- to Sri G.Manohar for doing an official favour for processing and issuing of ownership certificate of the land to the complainant Sri Syamala Rami Reddy and the tainted amount

was recovered from the almirah of Sr.Asst. it is also reported that they were arrested on 14.7.2008 and produced before the Hon'ble Prl.Spl.Judge for SPE & ACB Cases, Hyd. on 15.7.08 and remanded upto 28.7.2008.

He has also represented that the phenolphthalein test over both the hand fingers of Sri P.Sambasiva Rao not yielded positive result and he was under detention for a period of exceeding 48 hours, in terms of rule 8 (2) (5) of APCS (CCA) Rules, the Dist. Collector, Khammam has placed the AO under suspension vide his Proc.No.A1/2263/2008, dt:26.7.2008.

He has further represented that the complainant Sri S.R.Reddy applied for land ownership certificate situated at Gollapadu (V) on 3.7.2008, the verification of VRO & MRI-II has been done on 4.7.2008. The Section Asst. Sri G.Manohar has submitted draft note to the Tahsildar through him on 7.7.2008 and on the same day the Tahsildar has approved the note and Sr.Asst. has prepared ownership certificate and put for signature of the Tahsildar. The Tahsildar has signed and given to the file to the Sr.Asst. (G.Manohar, AO1) to dispatch the same to the complainant, that it is clearly evident that the file for note orders for issue of ownership certificate has been circulated to him on 7.7.08 and on the same day he has signed the file and sent to the Tahsildar and the has approved and sent the file to the concerned Sr.Asst. for dispatch, that it is the responsibility of the section assistant to see that the certificate has been dispatched to the complainant immediately and hence, he did not know about the complainant and he never demanded any bribe from him for issue of ownership certificate and it is also evident he has not taken any bribe amount, or kept the file with him an intention to demand the bribe amount and the phenolphthalein test held over the both hand fingers on him has also not yielded positive result.

He has further represented that as per the Mediators Report-II, if he has demanded any bribe, the complainant would have given money directly to him or he would have taken the amount from the

complainant, but the fact is that he did not know the complainant and he never demanded bribe and he has also unaware that he complainant has given money to Sri G.Manohar, Sr.Asst. Further, during the course of investigation, the concerned file was traced out in the almirah of Sri

G.Manohar, Sr.Asst. along with bribed amount and at the time of phenolphthalein test conducted over the hands of Sr.Asst. yielded positive result. He has submitted that the allegation of demand of bribe from the complaint for issue of ownership certificate is false and fabricated and there is no truth in the allegation.

He has finally represented that as per para 169 under chapter 10 of ACB Manual, arrest of Govt. servants shall be restricted only to successful trap cases, in other matters like indirect trap, disproportionate assets cases, arrest of Govt. servants shall not be resorted to as a matter of routine. As per the said orders, it is very clear that his arrest by the ACB authorities itself is against the rules and his suspension on the reason that he was under detention for a period exceeding 48 hours is also unjust. **He has finally requested to consider his case sympathetically and convert the ACB case into departmental enquiry and revocation his suspension orders and to reinstate him into duty pending enquiry in the matter.**

In the meanwhile the DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar, O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action to the allegation of failure to submit their annual property returns.

When the file was under circulation, the V.C., APVC in his letter dt. 28-2-09 while enclosing a copy of the final report of the DG, ACB, has requested the Dept. to consider and accord sanction of prosecution against the A.O. The Commission has also advised the Dept. to initiate departmental action against the AO-1 & 2 for violation of A.P.C.S. (Conduct) Rules i.e. for non-submission of A.P.Rs. to the competent authority, as recommended by the DG, ACB.

Kind attention is invited to the orders in circulation to the then Minister (Rev) on page 9 ante, wherein orders were passed for conducting departmental enquiry (instead of prosecution) besides reinstatement into service of the individual.

The CEO & Prl. Secretary to Govt., GA (Elections) Dept., has passed orders **“No objection to take further action”**.

When the file circulated to the Hon'ble C.M., the file was returned with an endorsement to circulate the file in the first week of June, 2009.

In view of the above position, the file is submitted for orders on the recommendation of the DG, ACB to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar, O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their annual property returns, keeping in view of earlier orders of Min (Rev) at p.9 ante.

After orders are passed, the file may be circulated to Min (Rev) for approval.

Sub: P.S. – Khammam Dist. – ACB Trap case on Sri
Gujjaru Manohar, Sr. Asst. and Sri Poosa Samba-
Siva Rao, D.T., O/o the Tahsildar, Khammam Rural
Mandal, Khammam Dist. – Reg.

- Ref:1. From the DSP, ACB, Warangal Range at Khammam,
Radio Message dt.16-7-2008.
2. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08.
3. Proceedings of the Dist. Collector, Khammam,
Rc.No.A1/2263/08, dt.26-7-2008.
4. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008,
dt.7-2-2009.

The attention of the District Collector, Khammam is invited to the references cited and he is informed that Government have examined the issue and observed that there was no official work pending with Sri P. Sambasiva Rao, Deputy Tahsildar as on the same day itself i.e. on 7-7-08, he has processed the Ownership Certificate of the complainant, got the signature of the Mandal Revenue Officer and in turn the file was sent to the Senior Assistant concerned (A.O-1) Sri G. Manohar for dispatch. Further, it is also observed that the complainant has not handed over the bribe amount to the A.O-2 viz., Sri P. Sambasiva Rao, Deputy Tahsildar, chemical test on the hands of AO-2 has given negative result and the amount was seized from the AO-1. Added to it, it is also observed that there was no demand and acceptance of bribe by A.O-2 and hence Government have decided to order for departmental enquiry besides reinstatement of A.O-2 into service, in the interest of justice.

2. He is, therefore, requested to reinstate Sri P. Sambasiva Rao, Deputy Tahsildar, O/o Tahasildar, Khammam Rural Mandal, Khammam District into service, pending disciplinary action. He is also requested to conduct departmental enquiry against him duly obtaining draft articles of charges from the Director General, Anti Corruption Bureau and furnish the enquiry report to Government for taking further action in the matter.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector, Khammam.
The individual through District Collector, Khammam.
Copy to:
The Special Chief Secretary & Chief Commissioner of
Land Administration, Hyderabad.
The Director General, Anti Corruption Bureau, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

NOTE FOR CIRCULATION

The issue in this file relates to ACB Trap case against Sri G. Manohar, Sr. Asst. and Sri P.Sambasiva Rao, Superintendent-cum-Dy.Tahsildar, O/o Tahasildar, Khammam Rural Mandal, Khammam Dist.

The brief facts of the case are that, on receipt of Radio Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst., O/o the Tahasildar, Khammam Rural Mandal, Khammam (AO-1) was caught red in the room of Sri P.Sambasiva Rao, Supdt-cum-D.T., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. (AO-2) while accepting the bribe amount of Rs.5000/-, as per the instructions of AO-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the AOs were arrested by the ACB officials on

the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rural Mandal, Khammam District were placed under suspension.

The DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar (AO-2), O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their annual property returns.

When the file was under circulation on the request of Sri P. Sambasiva Rao, D.T., the V.C., APVC in his letter dt. 28-2-09 while enclosing a copy of the final report of the DG, ACB, has requested the Dept. to consider and accord sanction of prosecution against both the A.Os. The Commission has also advised this Dept. to initiate departmental action against the AO-1 & 2 for violation of A.P.C.S. (Conduct) Rules,1980 i.e. for non-submission of A.P.Rs. to the competent authority, as recommended by the DG, ACB.

As per the orders in circulation to the Hon'ble C.M. at para-66 on p.20 ante, orders were issued requesting the Dist. Collector, Khammam to reinstate Sri P. Sambasiva Rao, D.T. into service, pending disciplinary action and to conduct departmental enquiry against him duly obtaining draft article of charges from the DG, ACB, vide Govt. Memo.dt.7-7-09.

Now, the file is submitted for orders on the recommendation of the DG, ACB to accord sanction of prosecution against Sri G.Manohar, Sr.Asst., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. to prosecute him in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and

accepting bribe and to initiate departmental action on the allegation of failure to submit annual property returns.

After orders are passed, the file may be circulated to Min (Rev) for approval.

ABSTRACT

Public Services – Allegation of Corruption against Sri Gujjaru Manohar, S/o Manikyam, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District – Trapped on 14.7.2008 – Sanction of Prosecution Orders – Issued.

G.O.Ms.No.

Dt: 7-2009

ORDER:

Whereas Sri G.Manohar worked as Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District from 18.9.2007 to 14.7.2008 and as such he is a Public Servant with in the meaning of Section 2 (c) of the Prevention of Corruption Act 1988 (Act 49 of 1988).

2. And whereas, Sri Shyamala Rami Reddy, S/o Hanumantha Reddy, resident of Gollapadu village, Gollapadu Mandal, Khammam Rural, Khammam District, makes out his living by doing cultivation. His mother Smt.Syamala Janakamma wife of Hanumantha Reddy owns and possesses 20 Guntas of land situated in Sy.No.285, of Gollapadu village and the title deed (Patta) of the above land stands

in the name of his mother and whereas, the name of Sri Shyamala Rami Reddy reflected in the pahanies as possessor. The officials of Idea mobile telephone proposes to take the land of the complainant on lease for as period of 15 years for installing a tower in the land and stipulated a condition that the complainant should produce ownership certificate pertaining to the land. Pursuant to that, 12 days prior to 11.7.2008, Sri Shyamala Rami Reddy, submitted an application in the O/o Mandal Revenue Office, Khammam, Rural Mandal for grant of ownership certificate. The concerned Tahsildar (MRO) sent the said application to the concerned Section Superintendent, Sri Samba Siva Rao for process. On knowing that, Sri Shyamala Rami Reddy met Sri Samba Siva Rao, Superintendent-cum-Deputy Tahsildar and enquired about his application, on which the he demanded an amount of Rs.7,000/- for issuing ownership certificate pertaining to the land. The Superintendent-cum-Deputy Tahsildar, Sri Samba Siva Rao did not heed to the request made by Sri Shyamala Rami Reddy that he was unable to pay bribe amount and he made him to go around his office for the one week prior to giving complaint. On 11.7.2008 when Sri Shyamala Rami Reddy met Sri Samba Siva Rao, Superintendent-cum-Deputy Tahsildar and requested for processing his application, on which Sri Samba Siva Rao, Superintendent-cum-Deputy Tahsildar reiterated his earlier demand. Facing with no option Sri Shyamala Rami Reddy agreed to pay Rs.5000/- as bribe and after agreeing, Sri P.Samba Siva Rao, Superintendent-cum-Deputy Tahsildar instructed him to bring the amount on 14.7.2008 to his office.

3. And whereas, Sri Shyamala Rami Reddy who was not interested to pay the bribe amount to Sri Samba Siva Rao, Superintendent-cum-Deputy Tahsildar, lodged a complaint to the Inspector, Anti-Corruption Bureau, Warangal, on 11.7.2008 to take action against him. Consequent upon receiving such complaint, a case in Crime No.6/ACB-WKH/2008 was registered against him on 14.7.2008 for the offence punishable under section 7 of the Prevention of Corruption Act 1988.

4. And whereas, during the course of investigation, on 14.7.2008 Sri Shyamala Rami Reddy proceeded to the room of Sri Samba Siva Rao, Superintendent who was working as Superintendent-cum-Deputy Tahsildar in Mandal Revenue Office, Khammam Rural, on foot and found him in his seat. On seeing, Sri Samba Siva Rao, Superintendent-cum-Deputy Tahsildar enquired him, whether he has brought the

demanded bribe amount of Rs.5000/-, on his affirmative reply Superintendent-cum-Deputy Tahsildar instructed him to handover the amount to Sri G.Manohar who was working as Senior Assistant sitting in his chair adjacent to him and informed to take the ownership certificate pertaining to his land and the same was intimated to Sri G.Manohar by Sri P.Samba Siva Rao. As per the instructions of Sri P.Samba Siva Rao he approached the seat of Sri G.Manohar. Then Sri G.Manohar asked the bribe amount, he took out a wad of currency notes from his left front shirt pocket and offered the same to Sri G.Manohar who accepted the amount with his right hand and counted with both hands and kept them in his almirah. Which shows that both the accused officers have acted in concert and with common intention of demanding and accepting bribe. Thereupon, Sri Shyamala Rami Reddy came out of the room and relayed pre-arranged signal. Then the Deputy Superintendent of Police got the water fetched in glass tumblers and conducted scientific test on the hand fingers of both the Accused Officer-1 and Accused Officer-2. The Sodium Carbonate Solution test conducted on both the hand fingers of Sri G.Manohar, their and his right hand turned into pink colour, when Sri P.Samba Siva Rao rinsed his both hand fingers in solution, the solution did not turn into pink colour. The tainted amount of Rs.5000/- was recovered from the almirah. The contact portion where the tainted amount was kept was also subjected to Sodium Carbonate test, also proved positive. The Deputy Superintendent of Police seized the tainted amount and relevant records during the trap proceedings.

5. And whereas, the above acts of the said Sri G.Manohar, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District constitute offences punishable under sections 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act 1988, and section 34 of the IPC, 1960.

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri G.Manohar, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District from the Government service after fully and carefully examining the material placed before them in respect of the said allegation and having regard to the favoured circumstances of the case consider that the said Sri G.Manohar, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District should be prosecuted in a Court of Law.

7. Now, therefore, in exercise of the powers conferred by clause (b) sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and section 197 of the Cr.P.C.1973, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri G.Manohar, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District for the aforesaid offences punishable under sections 7 and 13(1)(d) read with section 13(2) of the Prevention of Corruption Act and Section 34 of the IPC for any other cognate offences punishable under the other provisions of Law and for taking cognizance of the aforesaid offences by a Court of competent jurisdiction.

To
The DG, ACB,
Hyd.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-4 Dt:25-7-2009

Sub: P.S. – Khammam Dist. – ACB Trap case on Sri

G.Manohar, Sr. Asst. O/o the Tahsildar, Khammam
Rural Mandal, Khammam Dist. – Reg.

Ref: 1. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008,
dt.7-2-2009.
2. Govt.Memo.37122/Vig.VI(2)/08-3, dt.7-7-2009.

The attention of the District Collector, Khammam is invited to the references cited and he is informed that Government have examined the matter and observed that Sri G. Manohar, Senior Assistant has failed to submit Annual Property Returns to the competent authority during his entire service, violating the Rule-9(7) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and hence decided to initiate departmental action against him.

2. He is, therefore, requested to initiate departmental action against the individual for violation of Rule-9(7) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and furnish the enquiry report to Government for taking further action.

3. The draft article of charges, statement of imputation etc. are sent herewith.

ASUTOSH MISHRA
PRINCIPL SECRETARY TO

GOVERNMENT

To

The District Collector, Khammam (w.e).

Copy to:

The Special Chief Secretary & Chief Commissioner of
Land Administration, Andhra Pradesh, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner, Andhra Pradesh
Vigilance Commission, Hyderabad. (with reference to
Lr.No.4042/VC.C3/2008-2, dt:28.2.2009.)

Sf/Sc.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-6 _____ Dt:17-9-2009

Sub: P.S. – Revenue Dept. – Allegation of corruption against
Sri G.Manohar, Sr. Asst. and Sri P.Sambasiva Rao,
Superintendent – cum – DT, O/o the Tahsildar, Khammam
Rural Mandal, Khammam Dist. – Trapped on 14.7.08 –
Revised Sanction Order – Request - Reg.

Ref: 1. G.O.Ms.No.823, Rev(Vig.VI(2)) Dept., dt:10.8.09.
2. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008,
dt.2-9-2009.

With reference to letter 2nd cited, a fresh sanction order duly
carrying out the defects identified by the Bureau is sent herewith to
the Director General, Anti Corruption Bureau for taking necessary
action in the matter.

T.SURYA PRABHA
ASSISTANT SECRETARY TO

GOVERNMENT

To
The Director General, Anti Corruption Bureau,
Hyderabad.
Copy to:
Law (E) Department.

// FORWARDED BY ORDER //

SECTION OFFICER

(Issued as G.O.Ms.No.823, Rev (Vig.VI) Dept., dt. 10-8-09)
(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-3, dt. 7-7-09)
(From the DG, ACB, Lr.Rc.No.169/RCT-WKH/08, dt.2-9-08)

Please see the notes on pp.23-25 ante and the letter dt.2-9-09 received from the DG, ACB together with its enclosure at pp.299-305 c.f.

The DG, ACB while returning the original prosecution sanction order issued in respect of Sri G. Manohar, Sr. Asst. vide G.O.Ms.No.823, dt. 10-8-09 as it contains certain defects, has requested to issue fresh sanction order against the A.O. rectifying the defects and send the same to the Bureau for taking further action in the matter.

In this connection, kind attention is invited to the defects identified by the Bureau at X on pp.299-301 c.f.

In view of the above, the G.O.Ms.No.823, Rev (Vig.VI(2)) Dept., dt. 10-8-09 may be cancelled and a revised order duly rectifying the defects identified by the Bureau may be issued.

Accordingly, two draft orders are submitted below for approval.

ABSTRACT

Public Services - Allegation of Corruption against Sri Gujjaru Manohar, S/o Manikyam, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District - Trapped on 14.7.2008 - Sanction of Prosecution Orders - Issued - Certain defects identified - Cancellation orders - Issued.

REVENUE (VIG.VI) DEPARTMENT

G.O.Ms.No.

Dt. -9-2009

Read: 1. G.O.Ms.No.823, Rev (Vig.VI) Dept., dt. 10-8-09.
2. From the DG, ACB, Lr.Rc.No.169/RCT-WKH/08,
dt. 2-9-08.

ORDER:

In the G.O. 1st read above, orders were issued according sanction to the DG, ACB, Hyderabad for the prosecution of Sri G.Manohar, Senior Assistant, office of the Tahsildar, Khammam Rural Mandal, Khammam District for the offences punishable under sections 7, 13(1)(d) read with section 13(2) of the Prevention of Corruption Act 1988, and section 34 of the Indian Penal Code, 1860 for any other cognate offences punishable under the other provisions of Law and for taking cognizance of the aforesaid offences by a Court of competent jurisdiction.

In the letter 2nd read above, the DG, ACB, Hyderabad while returning the original prosecution sanction order issued in the reference 1st read above as it contains certain defects, has requested to issue fresh sanction order against the A.O. rectifying the defects and send the same to the Bureau for taking further action in the matter.

Govt. after careful examination of the matter, hereby cancel the orders issued in the G.O. 1st read above so as to enable to issue a fresh orders duly rectifying the defects identified by the Bureau.

The DG, ACB, Hyd. shall take necessary further action in the matter accordingly.

(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-6, dt. 17-9-09)
(From Sri G. Manohar, Sr. Asst., Repn. dt. 11-9-09)

Please see the notes on p.26 ante and the repn.dt.11-9-09 of Sri G. Manohar, Sr. Asst. together with its enclosures at pp.313-337 c.f. Orders of Prl. Secy. may also be seen thereon at p.313 c.f.

The issue in this file relates to request of Sri G. Manohar, Senior Asst., formerly O/o Tahasildar, Khammam Rural Mandal, Khammam to reinstate him into service.

The brief facts of the case are that, on receipt of Radio Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst., O/o the Tahasildar, Khammam Rural Mandal, Khammam (AO-1) was caught red handed in the room of Sri P.Sambasiva Rao, Supdt-cum-D.T., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. (AO-2) while accepting the bribe amount of Rs.5000/-, as per the instructions of AO-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the AOs were arrested by the ACB officials on the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rural Mandal, Khammam District were placed under suspension.

The DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar (AO-2), O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the

allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their Annual Property Returns.

The issue has been examined in detail on the repn. of Sri P. Sambasiva Rao, Supdt-cum-D.T at paras 51-65 on pp.17-20 ante. As per the orders in circulation to the Hon'ble C.M. at para-66 on p.20 ante, orders were issued requesting the Dist. Collector, Khammam to reinstate Sri P. Sambasiva Rao, Supdt-cum-D.T. into service, pending disciplinary action, vide Govt.Memo.dt. 17-9-09. It was also requested therein to conduct departmental enquiry against him.

Further, as per the orders in circulation to M(Rev) at para-79 on p.24 ante, orders were issued in G.O.Ms.No.823, dt.10-8-09 according sanction to the DG, ACB to prosecute the co-accused in this case viz., Sri G. Manohar, Sr. Asst. in a court of law. Orders were also issued requesting the Dist. Collector, Khammam to initiate departmental action against him on the allegation of non-submission of Annual Property Returns, vide Govt.Memo.dt.25-7-09.

While the matter stood thus, Sri G. Manohar, Sr. Asst. has filed a repn. before the Govt. representing that he had joined in the service as Attender on 1.7.1977, thereafter he was promoted for the post of Jr.Asst. in the year 1986 and then as Sr. Asst. in the year 2007. Consequent on promotion, he was transferred from the office of Collector, Khammam to the Office of the Tahsildar, Khammam Rural and during the said period there was no single complaint either from the departmental or private individuals and moreover he was honored by the State Govt. of A.P. with "Meritorious Award" for Good Service on the occasion of Independence Day on 15.8.07.

He has also represented that while he was serving as Sr.Asst. at the office of Tahsildar, Khammam Rural, Khammam Dist., on 14.7.08 at about 1.30 PM, the Superintendent of the Office viz., Sri P. Sambasivarao instructed him to receive

Rs.5,000/- from the complainant as it was the cash of land revenue collection of Khammam Rural Mandal and directed him to handover the same on the next day (i.e., 15.7.08) as it was late to deposit in the SBH Branch at Collectorate, Khammam. As per the instructions of the Superintendent, he received the money Rs.5,000/- from the

complainant and kept the same in almirah by obeying the orders of Superintendent and then the staff of ACB Police raid the office and seized the said money and falsely implicated him as Accused No.1. He has stated that he received the said money by obeying orders of his superior officer with a bonafide intention but he never demanded the complainant directly or indirectly by misusing his official capacity to issue the Ownership Certificate to the complainant.

He has further represented that, the complainant never stated against him in any proceedings i.e., in his complaint, FIR, and in the statement of complainant before the Hon'ble Court of ACB which shows crystal clear that he never demanded money from the complainant by misusing his official capacity. But, he was kept under suspension during the course of departmental enquiry by the orders of the Dist. Collector, Khammam one year back when his co-accused Sri P. Sambasiva Rao, Superintendent was already given reinstatement orders by the Govt.

He while stating that, he is a poor person and unable to feed even his family members and he is put to great hand ship because of obeying the orders of his superior officer, has requested the Govt. to enquire about his antecedents/ service conduct from previous worked stations to prove his honesty and integrity and to reinstate him into service.

In this connection, kind attention is invited to the enclosures to the repn. of Sri G. Manohar, Sr. Asst. at pp.315-337 c.f. He has enclosed a copy of **"Certificate of Merit"** presented to him in appreciation of his outstanding work in the field of meritorious service, by the Dist. Collector, Khammam. He has also enclosed a copy of **Remand Case Dairy Part-I** and **Mediators Report-II**. **As seen from the above documents,**

the version of Sri G. Manohar, Sr. Asst. (AO-1) that he had never demanded the bribe from the complainant can be found genuine as the complainant and as well as mediators in their report did not tell that the A.O-1 demanded the bribe. Moreover, it can be seen from the Mediators Report-II that Sri P. Sambasiva Rao (AO-2) when questioned by the DSP, ACB had specifically agreed that he instructed Sri G. Manohar (AO-

1) to issue the Ownership Certificate to the complainant only after accepting the bribe from him.

It is further submitted that, the other accused officer namely Sri P. Sambasiva Rao, D.T. was already reinstated into service. It seems that no review has been made on the suspension of the petitioner in question even after one completion of year.

In view of the above position, the file may be submitted to Prl.Secy. for passing appropriate orders on the request of Sri G. Manohar, Senior Asst., formerly O/o Tahasildar, Khammam Rural Mandal, Khammam to reinstate him into service, pending disc. action, w.r.to his orders at p.313 c.f.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-7
2009

Dt.3-10-

Sub: P.S. – Khammam Dist. – ACB Trap case on Sri Gujjaru

Manohar, Sr. Asst. O/o the Tahsildar, Khammam Rural
Mandal, Khammam Dist. - Placed under suspension -
Request for revocation of suspension - Rejected - Reg.

- Ref: 1. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-2008.
2. Procs. of the Dist. Collector, Khammam, Rc.No.A1/
2309/08, dt.26-7-2008.
3. Reprn. of Sri G. Manohar, Sr. Asst., dt.11-9-2009.

In the reference 2nd cited, orders were issued by the District Collector, Khammam placing Sri Gujjaru Manohar, Senior Assistant O/o the Tahsildar, Khammam Rural Mandal, Khammam District under suspension on the allegation of corruption.

2. In the reference 3rd cited, Sri G. Manohar, Senior Assistant has submitted a representation before the Government representing that while he was serving as Senior Assistant at the office of Tahsildar, Khammam Rural, Khammam District, on 14.7.08 at about 1.30 PM, the Superintendent of the Office viz., Sri P. Sambasivarao instructed him to receive Rs.5,000/- from the complainant as it was the cash of land revenue collection of Khammam Rural Mandal and directed him to handover the same on the next day (i.e., 15.7.08) as it was late to deposit in the SBH Branch at Collectorate, Khammam. As per the instructions of the Superintendent, he received the money Rs.5,000/- from the complainant and kept the same in almirah by obeying the orders of Superintendent and then the staff of Anti Corruption Bureau Police raided the office and seized the said money and falsely implicated him as Accused No.1. He has also represented that he received the said money by obeying orders of his superior officer with a bonafide intention but he never demanded the complainant directly or indirectly by misusing his official capacity to issue the Ownership Certificate to the complainant. Therefore, he has requested the Government to reinstate him into service.

3. Government after careful examination of the matter, hereby reject the request of Sri Gujjaru Manohar, Senior Assistant O/o the Tahsildar, Khammam Rural Mandal, Khammam District to reinstate him into service.

4. The District Collector, Khammam is requested to take necessary action in the matter.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector, Khammam.
Copy to:
The individual through the Collector,
Khammam District.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER

(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-7, dt. 3-10-09)
(From Sri G.Manohar, Sr. Asst., Representation dt. 6-10-09)

Please see the notes on pp.27-31 ante and the repn. dt.6-10-09 of Sri G. Manohar, Sr. Asst., O/o Tahasildar, Khammam Rural Mandal, Khammam Dist. and the orders of J.S. thereon at p.343 c.f. Similar repns. received from the O/o the Min (Rev) and the Hon'ble C.M. may also be seen at p.345 and p.347 c.f. respectively.

The issue in this file relates to request of Sri G. Manohar, Senior Asst., formerly O/o Tahasildar, Khammam Rural Mandal, Khammam to reinstate him into service as was done in the case of his co-accused viz., Sri P. Sambasiva Rao, D.T.

Kind attention is invited to the earlier notes at paras 94-107 on pp.27-30 ante wherein the request of the individual was examined in detail and decided to reject the same as it is a trap case.

Accordingly, orders were issued rejecting the request of the individual vide Govt.Memo.dt. 3-10-09.

Now, Sri G. Manohar, Sr. Asst. (u/s) has submitted another repn. reiterating the grounds which were put forth by him in his earlier repn.dt. 11-9-09 and requested the Govt. once again to reinstate him into service.

In this connection, it is submitted that as per the instructions issued vide Govt.Memo.No.15309/Ser.C/2002-2, dt. 4-10-02, the Principal Secy. or the Secy. concerned should review the suspension cases of their Department at an interval of six months with a representative from the ACB if the proceedings arose out of investigation conducted by the ACB and make suitable recommendation as to the desirability or otherwise of further continuance of the officers under suspension.

As the proceedings against the A.O. in the instant case arose out of investigation conducted by the ACB and his suspension period has been crossed one year by 26-7-09, it may be desirable that the suspension of the individual has to be reviewed at Govt. level in the next review with the representative of the ACB.

It is also submitted that there are another two files lying in the Section to be placed before the next review meeting (C.No.3781/Vig.VI(2)/08 and C.No.20207/Vig.VI(2)/09).

In view of the above position and keeping in view of the fact that earlier review was made on 30-4-09 (nearly six months back), it is for consideration and orders whether a decision may be taken to conduct next review on or after 30-10-09 so as to place the above cases before the review committee together with other cases, if any.

Submitted for orders.

Memo.No.37122/Vig.VI(2)/08- Dt. -10-2009

Sub: P.S. - Rev. Dept - ACB Cases - Review Meeting
on suspension cases of the individuals who are
under suspension for more than six months with
the representative from the ACB - Scheduled to
be held on 30-10-09 at 11.30 A.M. - Intimated -
Reg.

Ref: Govt.Memo.No.15309/Ser.C/02-2, dt. 4-10-02.

The attention of the DG, ACB, Hyderabad is invited to the
reference and he is informed that Prl. Secy. to Govt. (Sri Asutosh
Mishra, IAS), Rev. Department has desired **to conduct a review
meeting with the representative from the ACB on 30-10-09
at 11.30 A.M. in his chambers**, to review the suspension cases of
the individuals who are under suspension for more than (6) months.

He is, therefore, requested to take necessary action to depute a
representative from the ACB on the above date.

, Hyd.

& CCLA., Hyd. (with a request to furnish the information
and proforma immediately and to attend the meeting on
date).

.
S.(S.P).

All the Vigilance Sections in the Dept. (for taking n/a).
f/Sc.

Please see the notes at paras 109-123 on pp.32-33 ante and the repn. of Sri G. Manohar, Sr. Asst. received through the letter of Sri Ramreddy Venkat Reddy, Minister for Co-operation at pp.351-353 c.f. Orders of Min (Rev) may also be seen thereon at p.351 c.f.

In his repn., Sri G. Manohar, Sr. Asst (u/s) while briefing his introduction regarding appointment into Govt. service as Attender and getting promotions as Jr.Asst and Sr. Asst without any complaint and getting Meritorious Award for Good Service, has submitted that while he was serving as Sr. Asst. at O/o Tahasildar, Khammam Rural Mandal, Khammam on 14-7-08 at about 13.30 P.M., the Superintendent instructed him to receive Rs.5,000/- from the complainant and handover the same to him on the next day, he had received the same with good faith that as it was the cash of land revenue collection and it was late to deposit in the SBH Branch at Collectorate, Khammam and kept the same in almirah by obeying the orders of his superior officer. He has also submitted that, in the meantime the ACB officials rushed to the scene and seized the money and falsely implicated him in the trap case.

He has further submitted that, he never demanded the money from the complainant which is also crystal clear from the complaint of the complainant, FIR and statement of the complainant u/s 164 Cr.P.C. before the Magistrate, but he was placed under suspension on 26-7-08 and reinstated so far inspite of the fact that the co-accused i.e. the Supdt. was already reinstated.

He has, therefore, requested the Govt. to enquire into his antecedents/service conduct from previous worked stations to prove his honesty and reinstate him into service.

Sri Ramreddy Venkat Reddy, Minister for Co-operation while enclosing the above repn. of Sri G. Manohar, Sr. Asst has stated that though a year was elapsed no enquiry was ordered and the

Dy. Tahasildar, who was also suspended with the individual, was reinstated leaving the individual under suspension. He has, therefore, requested to consider the request of the individual for his reinstatement as it deserves consideration on humanitarian grounds.

In this connection, it is submitted that on the allegation of corruption Sri G. Manohar, Sr. Asst. alongwith another A.O. viz., Sri P. Sambasiva Rao, Supdt-cum-D.T. was placed under suspension by the Dist. Collector, Khammam on 26-7-08. Sri P. Sambasiva Rao, D.T. was reinstated into service, pending enquiry vide Govt.Memo.dt.7-7-09 and departmental enquiry was ordered against him. In respect of Sri G. Manohar, Sr. Asst., prosecution was sanctioned vide G.O.Ms.Noo.823, dt. 10-8-09.

While the matter stood thus, a review meeting was held on 7-11-09 in the chambers of Prl.Secy. with the representatives of ACB and concerned HODs to review the suspension cases of staff who completed more than (6) months of suspension as on 30-11-09. In the said meeting, case of the individual in question was also reviewed and a decision was taken to continue him under suspension. The connected file bearing C.No.50838/Vig.VI(2)/09 is under circulation.

With the above, the file may be circulated to Min (Rev) for perusal and passing orders, if any, on the request of Sri G. Manohar, Sr. Asst. to reinstate him into service, w.r.to. orders at p.351 c.f.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-8

Dt.29-1-2010

Sub: P.S. – Khammam Dist. – ACB Trap case on Sri Gujjaru Manohar, Sr. Asst. O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. – Placed under suspension – Request for revocation of suspension – Reg.

- Ref: 1. From the DSP, ACB, Warangal Range at Khammam, Radio Message dt.16-7-2008.
2. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08.
3. Procs. of the Dist. Collector, Khammam, Rc.No.A1/2309/08, dt.26-7-2008.
4. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008, dt.7-2-2009.
5. Reprn. of Sri G. Manohar, Sr. Asst., dt.11-9-2009.
6. Govt.Memo.No.37122/Vig.VI(2)/08-7, dt.3-10-09.
7. Reprn. of Sri G. Manohar, Sr. Asst., dt.10-11-2009.

The attention of the District Collector, Khammam is invited to the references cited and he is informed that Government have re-examined the issue in the light of the representation of Sri Gujjaru Manohar, Senior Assistant, O/o the Tahsildar, Khammam Rural Mandal, Khammam District in the reference 7th cited and observed that the complaint was lodged against the Office Superintendent Sri Sambasiva Rao, Accused Officer-2 on the allegation of demanding bribe. But no complaint was lodged against Accused Officer-1 Sri G. Manohar. It is seen there from that as per the instructions of Accused Officer-2 only the Accused Officer-1 had taken the amount from the complainant and kept it in his almirah who did not know for which purpose the amount was intended to be given to him by the complainant as no work was pending with him. It is also observed that the Accused Officer-2 Sri P. Sambasiva Rao who was alleged to have demanded the bribe was already reinstated into service. Government have therefore decided to reinstate the Accused Officer-1 into service pending departmental inquiry.

2. He is, therefore, requested to reinstate Sri Gujjaru Manohar, Senior Assistant, O/o the Tahsildar, Khammam Rural Mandal, Khammam District into service, pending disciplinary/criminal action and post him to a far off non-focal post.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO
GOVERNMENT

To
The District Collector, Khammam.
The individual through District Collector, Khammam.
Copy to:
The Chief Commissioner of Land Administration, Hyderabad.
The Director General, Anti Corruption Bureau, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-9 Dt.3-2-2010

Sub: P.S. - Khammam Dist. - ACB Trap case on Sri Poosa
Samba Siva Rao, D.T., O/o the Tahsildar, Khammam
Rural Mandal, Khammam Dist. - Ordered for deptl.
enquiry - Reg.

- Ref:1. From the DSP, ACB, Warangal Range at Khammam,
Radio Message dt.16-7-2008.
2. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08.
3. Proceedings of the Dist. Collector, Khammam,
Rc.No.A1/2263/08, dt.26-7-2008.
4. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008,
dt.7-2-2009.
5. Govt.Memo.No.37122/Vig.VI(2)/08-3, dt.7-7-09.
6. From the Dist. Collector, Khammam, Lr.Rc.No.A1/
2263/08, dt.6-11-2009.

The attention of the Director General, Anti Corruption Bureau,
Hyderabad is invited to the references cited and he is informed that in the
reference 5th cited, while ordering departmental enquiry in respect of Sri P.

Sambasiva Rao, Deputy Tahsildar, the District Collector, Khammam was requested to conduct departmental enquiry against the Accused Officer duly obtaining draft articles of charges from the Director General, Anti Corruption Bureau and to send the enquiry report to Government for taking further action in the matter. But, as seen from the reference 6th cited, it is observed that draft articles of charges were not sent to the District Collector, Khammam so far.

2. He is, therefore, requested to furnish the draft articles of charges in respect of Sri P. Sambasiva Rao, Deputy Tahsildar immediately to the District Collector, Khammam so as to enable him to conduct departmental enquiry and to send the enquiry report to Government for taking further action in the matter.

M.RAMAIAH
JOINT SECRETARY TO

GOVERNMENT

To
The Director General, Anti Corruption Bureau, Hyderabad.
Copy to:
The District Collector, Khammam.
The Special Chief Secretary & Chief Commissioner of
Land Administration, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-9, dt. 3-2-2010)
(From the DG, ACB, Lr.C.No.169/RCT-WKH/08, dt.12-3-10)

Please see the notes on p.41 ante and the letter dt.12-3-2010 received from the DG, ACB together with its enclosures at pp.365-375 c.f.

In reply to Govt.Memo.dt.12-3-10, the DG, ACB has sent draft article of charges, statement of imputations etc. in respect of Sri P.

Sambasiva Rao, D.T., formerly O/o Tahasildar, Khammam Rural Mandal, Khammam.

In this connection, it is submitted that as the Dist. Collector, Khammam was already requested to initiate departmental action against the A.O., copies of above draft article of charges etc. may be sent to him so as to enable him to proceed with the departmental action.

S/o, a draft memo. is submitted below for approval.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.37122/Vig.VI(2)/08-10
2010

Dt.31-3-

Sub: P.S. – Khammam Dist. – ACB Trap case on Sri Poosa Samba Siva Rao, D.T., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. – Ordered for deptl. enquiry – Furnishing of draft article of charges etc. – Reg.

- Ref:1. From the DSP, ACB, Warangal Range at Khammam, Radio Message dt.16-7-2008.
2. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08.
3. Proceedings of the Dist. Collector, Khammam, Rc.No.A1/2263/08, dt.26-7-2008.
4. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008, dt.7-2-2009.
5. Govt.Memo.No.37122/Vig.VI(2)/08-3, dt.7-7-09.
6. From the Dist. Collector, Khammam, Lr.Rc.No.A1/2263/08, dt.6-11-2009.
7. Govt.Memo.No.37122/Vig.VI(2)/08-3, dt.7-7-2009.
8. From the DG, ACB, Lr.No.169/WKH/08, dt.29-3-2010.

In continuation of the orders issued in the reference 5th cited, draft article of charges, list of documents etc. received from the Director General, Anti Corruption Bureau in respect of Sri Poosa Samba Siva Rao, Deputy Tahsildar., O/o the Tahsildar, Khammam Rural Mandal, Khammam District are sent herewith to the District Collector, Khammam.

2. He is requested to proceed with the departmental action against the Accused Officer immediately and to send the enquiry report to Government for taking necessary further action in the matter, within a period of 3 months positively.

M.RAMAIAH
JOINT SECRETARY TO GOVERNMENT

To
The District Collector, Khammam.
Copy to:
The Chief Commissioner of Land Administration,
Hyderabad.
The Director General, Anti Corruption Bureau,
Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

(Issued as Govt.Memo.No.37122/Vig.VI(2)/08-10, dt. 31-3-10)
(From the Dist. Collector, Khammam, Lr.Rc.No.A1/2263/08,
dt. 18-1-11)

Please see the notes on prepages and the letter received from the Dist. Collector, Khammam together with its enclosures at pp. c.f.

The issue in this file relates to finalisation of disciplinary proceedings initiated against Sri P.Sambasiva Rao, formerly Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal, Khammam Dist. on the allegation of corruption and as well non-submission of APRs to the department during his service.

The brief facts of the case are that, on receipt of Radio Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst., O/o the Tahasildar, Khammam Rural Mandal, Khammam (AO-1) was caught red handed in the room of Sri P.Sambasiva Rao, Supdt-cum-D.T., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. (AO-2) while accepting the bribe amount of Rs.5000/-, as per the instructions of AO-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the AOs were arrested by the ACB officials on the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rurual Mandal, Khammam District were placed under suspension.

Further, the DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar (AO-2), O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their Annual Property Returns.

The issue has been examined in detail on the repn. of Sri P. Sambasiva Rao, Supdt-cum-D.T at paras 51-65 on pp.17-20 ante. **As per the orders in circulation to the Hon'ble C.M. at para-66 on p.20 ante, orders were issued requesting the Dist. Collector, Khammam to reinstate Sri P. Sambasiva Rao, Supdt-cum-D.T. into service, pending disciplinary action, vide Govt.Memo.dt. 17-9-09. It was also requested therein to conduct departmental enquiry against him on the allegation of corruption and to furnish enquiry report to Govt. for taking further action in the matter.**

Further, as per the orders in circulation to M(Rev) at para-79 on p.24 ante, orders were issued in G.O.Ms.No.823, dt.10-8-09 according sanction to the DG, ACB to prosecute the co-accused in this case viz., Sri G. Manohar, Sr. Asst. in a court of law.

While the matter stood thus, now, the Dist. Collector, Khammam has informed that as per the instructions of the Govt., they had issued article of charges to Sri P. Sambasiva Rao, D.T. and having not satisfied with his explanation thereon, they had appointed the RDO, Khammam as Enquiry Officer to enquire into the charges framed against the A.O.

While furnishing a copy of the enquiry report, the Dist. Collector, Khammam has requested the Govt. to take necessary further action in the matter.

Kind attention is invited to the enquiry report at pp. 381-397 cf. wherein the E.O. while mentioning the charge framed against the A.O., his explanation thereon, has stated that as seen from the Govt.Memo.No.37122/Vig.VI(2)/08-3. Rev.(Vig.VI) Dept., dt:7.7.2009, Govt. had examined the issue and observed that there was no official work pending with Sri P.Sambasiva Rao, DT as on the same day itself i.e., on 7.7.2008 as the A.O. had processed the Ownership Certificate of the complainant, got the signature of the MRO and in turn the file was sent to the Sr.Asst. concerned for dispatch and it is also observed that the complainant had not handed over the bribe amount to Sri P.Sambasiva Rao, DT, chemical test on the hands of Sri P.Sambasiva Rao given negative result and the amount was seized from the AO-I,

added to it, it is also observed that there was no demand and acceptance of bribe by AO-2.

The E.O. has also stated that his enquiry with Sri K. Tirupathaiah, the then Tahsildar, Khammam Rural, Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal and Sri L. Veerabhadram, the then MRI-I, Khammam Rural Mandal and perusal of records and explanation submitted by Sri P.Sambasiva Rao revealed that there was no official work pending with Sri P.Sambasiva Rao, DT. With regard to submission of statements of immovable property possessed, acquired and disposed of by Sri P.Sambasiva Rao, the E.O. has stated that the A.O. had submitted statements of immovable properties for the years 2002 and 2007. **The E.O. has stated that, the charges leveled against Sri P.Sambasiva Rao, DT are not held proved.**

The E.O. has enclosed the copies of statement of Movable/Immovable Property of the A.O. for the years 2002 and 2007 only. He has also enclosed the copies of Certificates of Merit received by the A.O. for his outstanding work from the O/o the Dist. Collectorate, Khammam.

In view of the above position and keeping in view of the enquiry report, a provisional decision may be taken in the matter.

After a decision is taken, the file may be sent to APVC for its advice thereon.

I have perused the material available on record and enquired into the matter.

I have enquired with the following reasons:

1. Sri K.Tirupathaiah, the then Tahsildar, Khammam Rural.
2. Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal.
3. Sri L.Veerabadram the then MRI-I, Khammam Rural Mandal.

Sri K.Tirupathaiah, the then Tahsildar, Khammam Rural Mandal deposed that one Sri Syamala Rami Reddy, S/o. Hanuantha Reddy, R/o.Gollapad Village has submitted an application for issue of ownership certificate of land in Sy.No.285/AA measuring Acs.0-20 gts. situated at Gollapad Village of Khammam Rural Mandal for installation of Cell Tower on 3.7.2008 to the VRO, Gollapadu and MRI-II for recommendation. On 4th July, 2008 he has received application duly certified and recommended by the VRO, Gollapadu and MRI-II. Then he has endorsed and marked to "C-Section" for examination and put up. On 7th July, 2008 file is submitted through DT, Sri P.Sambasiva Rao, that he has approved note file and sent to section clerk with endorsement to discuss with VRO. On 8.7.2008 he has discussed with VRO, Gollapadu regarding land possession and satisfied the title and approved ownership certificate and returned to Section Assistant. He also stated that he do not know further efforts till 14.7.2008. He also stated that no instances of demanding bribe by Sri P.Sambasiva Rao, DT have come to his notice.

Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal has deposed that one Sri Syamala Rami Reddy, S/o Hanuantha Reddy, R/o Gollapad Village has submitted an application for issue of ownership certificate for land in Sy.No.288/AA of Gollapadu village to land extent of Ac.0-20 gts. to give his land on lease for installation of Cell Tower on 3.7.2008. The VRO Sri S.Ranga Reddy has certified the same and given to him on the same day and he also certified the same after verification of record and given the application to Sri Syamala Rami Reddy, the applicant for submission in Office. He has submitted the application in Office on 4th July, 2008. The Tahsildar has endorsed and marked to "C-Section" for examination and put up. On 7th July, 2008 file is submitted to the Tahsildar through DT Sri P.Sambasiva Rao. On

8th July, 2008 the Tahsildar has approved ownership certificate and returned it to Section Assistant. There was no delay in processing the file in Office by the DT. He has also stated that Sri P.Sambasiva Rao, DT never demanded any amount from Sri Syamala Rami Reddy or any other person. He also stated that Sri Syamala Rami Reddy has made complaint only with personal grudge. He also stated that S.Rangi Reddy, VRO died about one year back.

Sri L.Veerabhadram, the then MRI-I, Khammam Rural Mandal has deposed that he was present in the Office on 14.7.2008 at the time of trap by ACB authorities on the complaint made by Sri Syamala Rami Reddy. He also deposed that the file relating to issue of ownership certificate to Sri Syamala Rami Reddy was available in the almarah of Sri G.Manohar, Sr.Asst. and the said file was taken by the ACB authorities at the time of attack. I have examined the explanation submitted by Sri P.Sambasiva Rao, DT with reference to material available on record. I have also perused the statements given by Sri K.Tirupathaiah, the then Tahsildar, Khammam Rural, 2) Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal and 3) Sri L.Veerabadram the then MRI-I, Khammam Rural Mandal.

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NOTE FOR CIRCULATION

The issue in this file relates to finalisation of disciplinary proceedings initiated against Sri P.Sambasiva Rao, formerly Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal, Khammam Dist. on the allegation of corruption and as well non-submission of APRs to the department during his service.

The brief facts of the case are that, on receipt of Radio Message from the DSP, ACB, Warangal Range, Warangal informing that Sri G.Manohar, Sr.Asst., O/o the Tahasildar, Khammam Rural Mandal, Khammam (AO-1) was caught red handed in the room of Sri P.Sambasiva Rao, Supdt-cum-D.T., O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. (AO-2)

while accepting the bribe amount of Rs.5000/-, as per the instructions of AO-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the AOs were arrested by the ACB officials on the allegation of corruption and detained for a period exceeding (48) hours, Govt. have requested the Dist. Collector, Khammam Dist. to take action to place both the AOs under deemed suspension as per Govt. Memo.No.3676/Ser.B/2004, dt:12-3-04, if not already done. In reply, the District Collector, Khammam has furnished a copy of the Proceedings dt:26-7-08 in which Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Sr.Asst., O/o Tahsildar, Khammam Rural Mandal, Khammam District were placed under suspension.

Further, the DG, ACB has furnished the final report recommending to prosecute both the AOs viz., Sri G.Manohar, Sr.Asst. (AO-1) and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar (AO-2), O/o the Tahsildar, Khammam Dist. in a court of law u/s 7 and 13(1)(d) r/w 13(2) of P.C.Act, 1988 and 34 IPC on the allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their Annual Property Returns.

The issue has been examined in detail on the repn. of Sri P. Sambasiva Rao, Supdt-cum-D.T at paras 51-65 on pp.17-20 ante. **As per the orders in circulation to the Hon'ble C.M. at para-66 on p.20 ante, orders were issued requesting the Dist. Collector, Khammam to reinstate Sri P. Sambasiva Rao, Supdt-cum-D.T. into service, pending disciplinary action, vide Govt.Memo.dt. 17-9-09. It was also requested therein to conduct departmental enquiry against him on the allegation of corruption and to furnish enquiry report to Govt. for taking further action in the matter.**

Further, as per the orders in circulation to M(Rev) at para-79 on p.24 ante, orders were issued in G.O.Ms.No.823, dt.10-8-09 according sanction to the DG, ACB to prosecute the co-accused in this case viz., Sri G. Manohar, Sr. Asst. in a court of law.

While the matter stood thus, now, the Dist. Collector, Khammam has informed that as per the instructions of the Govt., they had issued article of charges to Sri P. Sambasiva Rao, D.T. and having not satisfied with his explanation thereon, they had appointed the RDO, Khammam as Enquiry Officer to enquire into the charges framed against the A.O.

While furnishing a copy of the enquiry report, the Dist. Collector, Khammam has requested the Govt. to take necessary further action in the matter.

Kind attention is invited to the enquiry report at pp. 381-397 cf. wherein the E.O. while mentioning the charge framed against the A.O., his explanation thereon, has stated that as seen from the Govt.Memo.No.37122/Vig.VI(2)/08-3. Rev.(Vig.VI) Dept., dt:7.7.2009, Govt. had examined the issue and observed that there was no official work pending with Sri P.Sambasiva Rao, DT as on the same day itself i.e., on 7.7.2008 as the A.O. had processed the Ownership Certificate of the complainant, got the signature of the MRO and in turn the file was sent to the Sr.Asst. concerned for dispatch and it is also observed that the complainant had not handed over the bribe amount to Sri P.Sambasiva Rao, DT, chemical test on the hands of Sri P.Sambasiva Rao given negative result and the amount was seized from the AO-I, added to it, it is also observed that there was no demand and acceptance of bribe by AO-2.

The E.O. has also stated that his enquiry with Sri K. Tirupathaiah, the then Tahsildar, Khammam Rural, Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal and Sri L. Veerabhadram, the then MRI-I, Khammam Rural Mandal and perusal of records and explanation submitted by Sri P.Sambasiva Rao revealed that there was no official work pending with Sri P.Sambasiva Rao, DT. With regard to submission of statements of immovable property possessed, acquired and disposed of by Sri P.Sambasiva Rao, the E.O. has stated that the A.O. had submitted statements of immovable properties for the years 2002 and 2007. **The E.O. has stated that, the charges leveled against Sri P.Sambasiva Rao, DT are not held proved.**

The E.O. has enclosed the copies of statement of Movable/Immovable Property of the A.O. for the years 2002 and 2007 only. He has also enclosed the copies of Certificates of Merit received by the A.O. for his outstanding work from the O/o the Dist. Collectorate, Khammam.

After examination of the case in the light of the enquiry report, a provisional decision has been taken to drop further action against Sri P.Sambasiva Rao, formerly Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal, Khammam Dist. on the charges of corruption and as well non-submission of APRs to the department during his service.

The APVC who were consulted in the matter have also agreed with the above provisional decision of this Dept. and advised the dept. to take action accordingly.

In view of the above position and keeping in view of the advice of APVC, it is for orders whether further action against Sri P.Sambasiva Rao, formerly Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal,

Khammam Dist. on the charges of corruption and as well non-submission of APRs to the department during his service may be dropped.

After orders are passed, the file may be circulated to Min (Rev) for approval.

ABSTRACT

P.S. – Rev. Dept. – ACB Trap case on Sri Poosa Samba Siva Rao, D.T., formerly O/o the Tahsildar, Khammam Rural Mandal, Khammam Dist. on the allegation of corruption – Disciplinary action – Further action dropped – Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.

Dated: -11-2011
Read the following:-

1. From the DSP, ACB, Warangal Range at Khammam, Radio Message dt.16-7-2008.
2. Govt.Memo.No.37122/Vig.VI(2)/08-1, dt.22-7-08.
3. Proceedings of the Dist. Collector, Khammam, Rc.No.A1/2263/08, dt.26-7-2008.
4. From the DG, ACB, Lr.C.No.169/RCT-WKH/2008, dt.7-2-2009.
5. Govt.Memo.No.37122/Vig.VI(2)/08-3, dt.7-7-09.
6. From the Dist. Collector, Khammam, Lr.Rc.No.A1/2263/08, dt.18-1-2011.

Consequent on receipt of information from the DSP, ACB, Warangal Range at Khammam that Sri G.Manohar, Sr.Asst., O/o the Tahasildar, Khammam Rural Mandal, Khammam (AO-1) was caught red handed in the room of Sri P.Sambasiva Rao, Supdt-cum-D.T., O/o the Tahsildar, Khammam

Rural Mandal, Khammam Dist. (AO-2) while accepting the bribe amount of Rs.5000/-, as per the instructions of AO-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the AOs were arrested by the ACB officials on the allegation of corruption and detained for a period exceeding (48) hours, both the A.Os were placed under suspension, pending disciplinary/criminal action vide reference 3rd read above.

After examination of the final report of the DG, ACB in the reference 4th read above, Govt. have observed that there was no official work pending with Sri P. Sambasiva Rao, Deputy Tahsildar as on the same day itself i.e. on 7-7-08, that he had processed the Ownership Certificate of the complainant, got the signature of the Mandal Revenue Officer and in turn the file was sent to the Senior Assistant concerned (A.O-1) Sri G. Manohar for dispatch. Further, it is also observed that the complainant had not handed over the bribe amount to the A.O-2 viz., Sri P. Sambasiva Rao, Deputy Tahsildar, chemical test on the hands of AO-2 had given negative result and the amount was seized from the AO-1. Added to it, it is also observed that there was no demand and acceptance of bribe by A.O-2 and hence Government had decided to order for departmental enquiry besides reinstatement of A.O-2 into service, in the interest of justice Accordingly, orders were issued requesting the Dist. Collector, Khammam to initiate departmental action against Sri P. Sambasiva Rao, Deputy Tahsildar duly obtaining draft article of charges from the DG, ACB and to furnish enquiry report to Govt. for taking further action in the matter vide 5th read above.

In the reference 6th read above, the Dist. Collector, Khammam has forwarded the enquiry report of the RDO, Khammam to Govt. for taking further action in the matter. After examination of the enquiry report, Govt. hereby observe that the statements of Sri K. Tirupathaiah, the then Tahsildar, Khammam Rural, Sri V.Veera Reddy, the then MRI-II, Khammam Rural Mandal and Sri L. Veerabhadram, the then MRI-I, Khammam Rural Mandal reveal that there was no official work pending with Sri P.Sambasiva Rao, D.T. It is also observed that the A.O. had submitted statements of movable/immovable properties for the years 2002 and 2007 and hence the charges leveled against Sri P.Sambasiva Rao, DT are not held proved.

After careful examination of the matter, Govt. hereby drop further action against Sri P.Sambasiva Rao, formerly Superintendent-cum-Dy.Tahsildar, Khammam Rural Mandal, Khammam Dist. on both the charges

of corruption and as well non-submission of APRs to the department during his service.

The Dist. Collector, Khammam shall take necessary further action in the matter accordingly.

To
The District Collector, Khammam.
Copy to:
The individual through the Dist. Collector,
Khammam.
The Spl.CS & CCLA, Hyd.
The AG, AP., Hyd.
The DTO, Khammam.
The DG, ACB, Hyd.
The Secy. to VC, APVC.
SF/SC.